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### **IN THE CLAIMS**

Please reconsider the claims as follows:

1. (currently amended) A method comprising:  
receiving a first compressed video stream;  
determining a first encoding profile for the first compressed video stream;  
encoding a second video stream in accordance with a particular encoding scheme to generate a second compressed video stream having a second encoding profile which matches the first encoding profile to within a requisite degree;  
splicing the second compressed video stream into the first compressed video stream to produce a spliced stream,  
wherein the requisite degree of matching between the second encoding profile and the first encoding profile is selected such that the spliced video stream can be decoded without producing visible artifacts on a display during or after a transition from a first compressed video stream portion of the spliced stream to a second compressed video stream portion of the spliced stream,  
wherein the encoding of the second video is controlled such that the second encoding profile approximately matches the first encoding profile at approximately a point in time when the second compressed video stream is spliced into the first compressed video stream,  
wherein the encoding of the second video is further controlled such that the second encoding profile approximately matches the first encoding profile at approximately a point in time when the first compressed video stream is spliced back into the spliced stream.
2. (previously presented) The method of claim 1, further comprising:  
determining the second encoding profile for the second compressed video stream.
- 3-4. (cancelled)

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5. (previously presented) The method of claim 1, wherein splicing includes initially multiplexing the first compressed video stream as an output video stream; multiplexing the second compressed video stream as the output video stream at a point in time when the inserting is to be achieved; and splicing the second compressed video stream to the first compressed video stream.
6. (cancelled)
7. (previously presented) The method of claim 1, further comprising: receiving a control signal indicative of a time period within which the splicing is to be performed; and initiating the encoding of the second video stream in response to receiving the control signal.
8. (previously presented) The method of claim 7, further comprising: buffering the second compressed video stream prior to splicing.
9. (original) The method of claim 1, wherein the second video relates to an advertisement and the first compressed video stream relates to a program video.
10. (previously presented) The method of claim 1, wherein the first encoding profile includes bit rate information related to the first compressed video stream.
11. (original) The method of claim 10, wherein the bit rate information includes a high bit rate, a low bit rate, and a mean bit rate determined over a particular time period.
12. (previously presented) The method of claim 10, wherein the first encoding profile further includes video buffering verifier (VBR) buffer information used for the encoding.

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13. (original) The method of claim 1, wherein the second video is encoded in accordance with an MPEG encoding scheme.

14. (currently amended) A system operative to splice a second compressed video stream into a first compressed video stream, comprising:

a profiler configured to receive the first compressed video stream and to provide a first encoding profile for the first compressed video stream;

a real time encoder coupled to the profiler and configured to receive and encode a second video in accordance with a particular encoding scheme to generate the second compressed video stream having a second encoding profile matching the first encoding profile to within a requisite degree; and

a multiplexer and splicer operatively coupled to the real time encoder and operative to receive the second and first compressed video streams, to splice the second compressed video stream into the first compressed video stream,

wherein the requisite degree of matching between the second encoding profile and the first encoding profile is selected such that the spliced video stream can be decoded without producing visible artifacts on a display during or after a transition from a first compressed video stream portion of the spliced stream to a second compressed video stream portion of the spliced stream,

wherein the real time encoder is further configured to control the encoding of the second video such that the second encoding profile approximately matches the first encoding profile at approximately a point in time when the second compressed video stream is spliced into the first compressed video stream.

wherein the real time encoder is further configured to control the encoding of the second video such that the second encoding profile approximately matches the first encoding profile for the first compressed video stream at approximately a point in time when the first compressed video stream is spliced back into the second compressed video stream.

15. (previously presented) The system of claim 14, further comprising:

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a buffer coupled to the real time encoder and the splicer and configured to receive and buffer the first compressed video stream from the real time encoder.

16. (Cancelled)

17. (previously presented) The system of claim 14, wherein the profiler is further configured to receive the second compressed video stream and provide the second encoding profile.

18. (previously presented) The system of claim 14, wherein the second encoding profile includes bit rate information related to the second compressed video stream.

19-21. (cancelled)